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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,941	10/26/2001	Charles Eric Cantwell	10013003-1	8423

7590 01/30/2006
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EXAMINER

LEE, CHEUKFAN

ART UNIT PAPER NUMBER

2627

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/039,941	Applicant(s) CANTWELL, CHARLES ERIC	
	Examiner Cheukfan Lee	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 18 and 20-39 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☒ Claim(s) 18 and 20 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Cheukfan Lee

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1. Claims 1-15, and are pending. Claims are independent.
2. This application is in condition for allowance except for the following formal matters:

In claim 18, line 8, "can be" should be changed to – is --.

In claim 20, line 8, "can be" should be changed to – is --.

In this Office Action, claims 18 and 20 are objected to.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

3. The following is an examiner's statement of reasons for allowance:

Claim 18 would be allowable over the prior art of record including Leou (5,923,445) because the prior art does not teach a document positioning program that is configured to cause a processor to actuate a document positioning device when a document edge detector does not detect the edge of a document as claimed.

Claim 20 would allowable because the closest prior art Leou does not teach that the inherently process to actuate the document positioning device (Fig. 3) to move portions of the document which exceed the platen width and the platen length over the

platen. Leou's platen (144) is a large platen (Fig. 2). However, Leou does not disclose moving portions of the document over the platen. Instead, the platen (144) having the large document thereon is moved.

Claim 21 is allowable because the closest prior art Leo does not disclose that the document-positioning device (Fig. 3) selectively moves the document in a first direction and in a second direction orthogonal to the first direction. Leou's document positioning device moves the platen only in the two opposite directions.

Claim 22 and its dependent claims 23-26 are allowable because the closest prior art Leou does not disclose automatically moving the document in a first direction so that the second portion of the document is placed over the platen, and optically scanning the second portion of the document by moving the optical scanning device past the second portion of the document, in a method of scanning an oversized document. Leou discloses moving or repositioning the platen (144) having the large document thereon.

Claims 1 and 31 and their dependent claims 2-15 and 32-34, respectively, are allowable over the prior art of record. The closest prior art Sung (U.S. Patent No. 6,587,231) discloses a document cover (7 in Fig. 5) freely removable from the base unit having an optical scanning device located therein, but Sung does not disclose a document positioning device configured to move a document with respect to the optical scanning device when the document is positioned between the base unit and the cover, in combination with the freely removable cover.

Claims 27 and 35 and their dependent claims 28-30 and 36-38, respectively, are allowable because the closest prior art Sung (6,587,231) discloses a document cover (7 in Fig. 5) freely removable from the base unit having an optical scanning device located therein, but Sung does not disclose either a plurality of driven balls or plurality of cylindrical powered rollers in the base unit, the driven balls cylindrical powered rollers configured to contact a document placed over the base unit and move the document with respect to the optical scanning device when the cover is placed over the document as claimed in claims 27 and 35, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
January 20, 2006



Cheukfan Lee